

EXHIBIT 4

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
3 CHARLESTON DIVISION

- - -

3 IN RE: ETHICON, INC. : MDL NO. 2327
4 PELVIC REPAIR SYSTEM :
5 PRODUCTS LIABILITY :
6 LITIGATION :

7 THIS DOCUMENTS RELATES TO ALL CASES

- - -

8 AND VARIOUS OTHER CROSS-NOTICED ACTIONS

- - -

9 Tuesday, August 13, 2013

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10 CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

11 Videotaped Deposition of JAMES P.

12 MITTENTHAL held at Riker Danzig Scherer Hyland
13 Perretti LLP, Headquarters Plaza, One Speedwell
14 Avenue, Morristown, New Jersey, on the above date,
15 beginning at 9:36 a.m., before Kimberly A. Otherwise,
16 a Certified Realtime Reporter, Certified Court
17 Reporter, and Notary Public.
18 - - -

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1 served as reminders even if they were, in fact, in
2 connection with other litigation.

3 Q In other words, if there was other
4 mesh litigation and it wasn't necessarily TVT
5 litigation, for example, it could help put an
6 individual at the company on notice that they need
7 to be preserving mesh-related information; correct?

8 A Depending on the subject matter of the
9 notice, but yes.

10 (Exhibit No. T-2089 was marked for
11 identification.)

12 BY MR. WALLACE:

13 Q Okay. So let's look at the next
14 notice. You've been handed a document that's been
15 marked as T-2089. I'm going to ask you if you can
16 identify it for me.

17 A It appears to be the April 27th, 2006,
18 TVT hold notice referenced in my list.

19 Q And when you say your list, you're
20 talking about the Mittenthal 1273 which identifies
21 the dates of the holds and the product at issue;
22 right?

23 A Yes.

24 Q Okay. Would you agree with me that
25 this is the second notice relating to TVT generally?